

are purchased, used, or sold by an Internet access provider to connect a purchaser of Internet access to the Internet access provider."

(3) 2-YEAR GRANDFATHER FOR STATE AND LOCAL TAX LAWS AFFECTED BY CHANGE IN DEFINITION.—The amendments made by paragraphs (1) and (2) take effect on the date of enactment of this Act but shall not apply until November 2, 2005, with respect to a law imposing a tax that was generally imposed and actually enforced prior to November 6, 2003.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Commerce, Science and Transportation be authorized to meet on Thursday, November 6, 2003, at 9:30 a.m. on Robert Crandell, Floyd Hall, and Louis Thompson to be members of the Amtrak Reform Board.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, November 6, 2003 at 10 a.m. to hold a Business Meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, November 6, 2003, at 9:30 a.m. in Dirksen Room 226.

I. Nominations

Henry W. Saad to be U.S. Circuit Judge for the Sixth Circuit; Janice R. Brown to be U.S. Circuit Judge for the District of Columbia Circuit; D. Michael Fisher to be U.S. Circuit Judge for the Third Circuit; James B. Comey to be Deputy Attorney General; Michael J. Garcia to be Assistant Secretary of U.S. Immigration and Customs Enforcement; and Mark R. Filip to be U.S. District Court Judge for the Northern District of Illinois

II. Bills

S. 710, Anti-Atrocity Alien Deportation Act of 2003 [Leahy, Hatch]; H.R. 1086, the Standards Development Organization Advancement Act of 2003 [Sensenbrenner]; S. 1685, Basic Pilot Program Extension and Expansion Act of 2003 [Grassley, Kyl]; S. Con. Res. 77, Expressing the sense of Congress supporting vigorous enforcement of the Federal obscenity laws [Sessions, Hatch]; and H.R. 1437, To improve the United States Code [Sensenbrenner, Conyers].

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BENNETT. Mr. President, I ask unanimous consent that the Select

Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, November 6, 2003 at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE

Mr. BENNETT. Mr. President, I ask unanimous consent that the Subcommittee on Science, Technology, and Space be authorized to meet on Thursday, November 6, 2003, at 2:30 p.m. on Lunar Exploration.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. BENNETT. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs be authorized to meet on Thursday, November 6, 2003, at 2:00 p.m., for a hearing entitled "DOD's Improper Use of First and Business Class Airline Travel."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. SESSIONS. I ask unanimous consent that Marie Rapert, with Senator INHOFE, be allowed the privilege of the floor during the next rollcall vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. I ask unanimous consent that the request for floor privileges that I made earlier be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURNS. I ask unanimous consent that Dr. Prabhat Hajela, a congressional fellow in my office, be granted the privilege of the floor for the duration of the consideration of H.R. 7623.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE PLACED ON THE CALENDAR—S. 1832

Mr. MCCAIN. I understand S. 1832, introduced earlier today, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The legislative clerk read as follows:

A bill (S. 1832) entitled "Senator Paul Wellstone Mental Equitable Treatment Act of 2003."

Mr. MCCAIN. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. The objection is heard.

The bill will be read the second time on the next legislative day.

AUTHORIZING REPRESENTATION BY SENATE LEGAL COUNSEL

Mr. MCCAIN. I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 261, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 261) to authorize testimony and document production and legal representation for the State of Colorado v. Daniel Raphael Egger, Sarah Jane Gerdaldi, Jennifer Melissa Greenberg, Lisa Gale Kunkel, Bonnie Catherine McCormick.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, this resolution concerns a request for testimony, documents, and representation in related criminal trespass actions in Arapahoe County Court in the State of Colorado. In these actions, five defendants have been charged with criminal trespassing on the premises of Senator WAYNE ALLARD's Englewood, CO, office on April 24, 2003. Upon its closing that day, the defendants refused repeated requests to leave Senator ALLARD's office, and, as a result, were arrested. Trials on the charge of trespass are scheduled to be held on or about December 8, 2003. The State has subpoenaed a member of the Senator's staff who witnessed the defendants' conduct. The enclosed resolution would authorize that staff member, and any other employees of Senator ALLARD's office from whom evidence may be required, to testify and produce documents in connection with these actions. The enclosed resolution also authorizes representation by Senate Legal Counsel of Senator ALLARD and his staff in these actions.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements related to this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 261) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 261

Whereas, in the case of State of Colorado v. Daniel Raphael Egger, Sarah Jane Gerdaldi, Jennifer Melissa Greenberg, Lisa Gale Kunkel, Bonnie Catherine McCormick, pending in the Arapahoe County Court, Colorado, testimony and documents have been requested from an employee in the office of Senator Wayne Allard;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent Members of the Senate and their employees with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the